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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,391	11/25/2003	Marcus Felipe Fontoura	ARC920030080US1	8873
7590 Frederick W. Gibb, III McGinn & Gibb, PLLC Suite 304 2568-A Riva Road Annapolis, MD 21401		04/04/2007	EXAMINER OMOSEWO, OLUBUSOLA	
			ART UNIT 2168	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/04/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)
	10/723,391	FONTOURA ET AL.
	Examiner OLUBUSOLA ONI	Art Unit 2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 01/12/2007.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-37 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-37 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application
 6) Other: _____.

DETAILED ACTION

1. This action is responsive to communication: Amendment, filed on 01/12/2007.s

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-37 rejected under 35 U.S.C. 102(e) as being anticipated by Lindblad et al. (Pub No U.S 2005/0055343) hereinafter "Lindblad".

For claim 1, Lindblad teaches “a method for parsing documents in query processing, said method comprising: producing at least one index of a document written in a mark-up language; corresponding said index to said document” (See paragraph [0227]) “scanning said document” (See paragraph [0129], [0160], [0174]) “using a parser that is external to said index to selectively skipping portions of said document based on instructions from said index”(See paragraph [0042-0046, 00107 & fig. 1, 2A & 2B])

For claim 2, Lindblad teaches “wherein said mark-up language comprises any of HTML and XML” (See paragraph [0007]-[0009], [0031-0032])

For claim 3, Lindblad teaches “wherein the skipped portions of said document comprise portions irrelevant to said query”(See paragraph [01029], [0107])

For claim 4, Lindblad teaches “wherein said index comprises a plurality of elements representing textual categories of said query” (See paragraph [0082]-[0227])

For claim 5, Lindblad teaches “wherein said instructions match said elements to said query” (See paragraph [0082]-[0227])

For claim 6, Lindblad teaches “wherein if said elements do not match said query, then said parser uses said index to skip the portions of the document corresponding to unmatched elements” (See paragraph [0129]-[0107])

For claims 7 and 8, Lindblad teaches “wherein said each of said elements corresponds to a position ...”(See paragraph [0008-0009]-[0031], [0157-0158])

For claim 9, Lindblad teaches “wherein said index uses said end position as a marker for determining where to resume scanning said document upon skipping said portions of said document” (See paragraph [0129], [0174])

For claim 10, Lindblad teaches “wherein said elements comprise sub-elements representing textual sub-categories of said query”(See paragraph [0082]-[0227])

For claim 11, Lindblad teaches “wherein said sub-elements updates said position in said document upon skipping said portions of said document and resuming scanning of said document”(See paragraph [0129], [0174])

For claims 12, Lindblad teaches “saving said textual categories into a buffer”(See paragraph [0082], [0104], [0130], [0226], [0083]).

For claims 13-24, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-12 and are similarly rejected.

For claims 25-36, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-12 and are similarly rejected.

For claim 37, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected.

Response To Amendment

4. Applicant's arguments filled 01/12/2007 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's argument.

As per claims 1, 13, 25 and 37, applicant argued Lindblad does not teach "using a parser that is external to said index to selectively skip portions of said document based on instructions from the index". However, Lindblad teaches at paragraph 0042-0046 includes a parsed document 202. Lindblad's teachings of document 202 which are parsed documents, are passed to a document processor 204, step query generator 206, canonicalizer 208, hash key generator 210, and a step query result generator 214, and also to the index 213. However, the passing of document 202 to the index indicates the parser is external to the index.

Likewise Fig. 1, 2A and 2B, of Lindblad's teachings also illustrates an XML document 30, which includes text and markup, fig. 2A illustrates a schematic representation 32 of the XML document 30, wherein the schematic representation 32, is an index tree with the nodes of the tree representing an element of the XML document. Fig. 2B is a subtree. It is parsed, because it only has selected information from the XML document and does not contain all the information in the XML document like the index tree in fig. 2A. Therefore, applicant's invention functions in the same way as Lindblad's: parsing to selectively skip portions of said document. Thus, the claimed invention is not distinct over the prior art of Lindblad as argued by the applicant.

CONCLUSION

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-2738. The examiner can normally be reached on 10.00-6.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2168

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OLUBUSOLA ONI KBP
Examiner
Art Unit 2168



TIM VO
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